

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COLUMBIA DIVISION

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MAR 07 2014

U.S. DISTRICT COURT  
MID. DIST. TENN.

ROBERT ZENAS WHIPPLE, III

Plaintiff,

v.

DERRICK SCHOFIELD, et al.

Defendants.

CASE NO. 1:13-cv-00109  
CHIEF JUDGE HAYNES  
JURY DEMAND

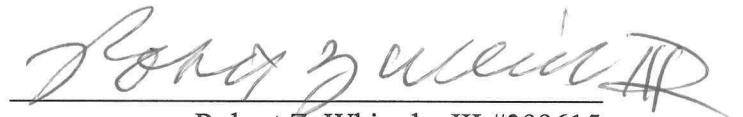
**PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff hereby moves this honorable Court to issue a Preliminary Injunction, granting similar relief as that given the Plaintiff, to several prospective class members at Turney Center Industrial Complex ("TCIX"). These prisoners are experiencing irreparable harm in the form of continued physical and mental pain and an increasing risk of medical complications, such as Barrett's Esophagus. In fact, all report being unable to sleep due to this pain and respectfully request the Court to enter a ruling without delay to minimize their suffering.

Each of these class members has written to the TCIX Medical Director with copies to the Health Services Administrator and Warden seeking relief prior to this motion (see Exhibits A, B, D, E). Each has also submitted declarations in which they describe their symptoms and efforts to obtain adequate treatment (see Appendix to Amended Complaint, Docket Entry No. 103-2 and Exhibit F). In addition, Plaintiff has attached a declaration in support of this motion (Exhibit G). As to the law regarding this motion, Plaintiff would argue that the same law is applicable as to the previous Order, and therefore would rely on the Memorandum of Law previously filed (Docket Entry No. 4).

Plaintiff prays that this Honorable Court will ORDER that Terry Lee Blanford, TDOC #205755; ~~William Holcomb, TDOC #381330~~ Terry Dewayne Neal, TDOC #478135; Tony Harold Pope, TDOC #254569; and Phillip A. York, TDOC #341821 are to receive over-the-counter Omeprazole ("Prilosec") medication until they are treated by a specialist. A proposed Order is attached.

Dated this 6<sup>th</sup> day of March, 2014

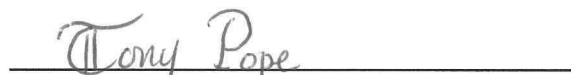


Robert Z. Whipple, III #399615  
Turney Center Industrial Complex  
1499 R. W. Moore Memorial Hwy.  
Only, Tennessee 37140-4050


**CERTIFICATE OF UNDERSTANDING**


By signing below, I respectfully request the Court to enter a ruling without delay to minimize my suffering. I agree that I have read the foregoing, or had it read to me, and that I understand that I am asking for medical treatment in a Court of Law, and that this document and any subsequent answers, responses, etc., will become a public record. I further understand that the specialist's report may also be made public and a part of this proceeding.

  
Terry Lee Blanford, TDOC #205755

  
Tony Harold Pope, TDOC #254569

  
~~William Holcomb, TDOC #381330~~

  
Phillip A. York, TDOC #341821

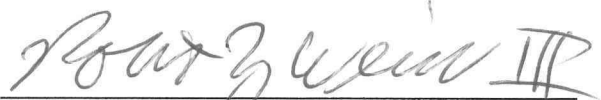
  
Terry Dewayne Neal, TDOC #478135

**CERTIFICATE OF SERVICE**

Plaintiff hereby certifies that a copy of the foregoing document has been placed in the U.S. Mail, first class postage prepaid, to the following:

Arthur Crownover II  
Civil Rights and Claims Division  
Tennessee Attorney General's Office  
P. O. Box 20207  
Nashville, TN 37202-0207

Gail Vaughn Ashworth  
John C. McCauley  
Wiseman Ashworth Law Group PLC  
511 Union Street, Suite 800  
Nashville, TN 37219-1743

  
Robert Z. Whipple, III #399615  
Plaintiff, *pro se*